

REMARKS

Reconsideration of the above-identified application in view of the above amendments and following arguments is respectfully requested.

Claims 1, 5 and 11 have been amended. Support for the amendment to claim 1 can be found on page 12, lines 13-20. Minor amendments have been made to claims 5 and 11. Claims 22-23 have been added. No new matter has been added as a result of the addition of these claims. Claims 2-4 and 13-21 have been deleted in response to a restriction requirement. Applicants reserve the right to pursue these claims in one or more divisional applications.

Notice of Draftperson's Patent Drawing Review

Applicants note that the Draftperson has requested certain changes to Figs. 2, 4, 6, 8 and 13. Applicants wish to hold the submission of corrected drawings in abeyance until receipt by the Examiner of approval for Applicants changes to Fig. 6 (see below).

Priority

Applicants have amended the specification to contain a specific reference to prior applications. Applicants thank the Examiner for suggesting such an amendment to the specification.

Specification

The Examiner stated that the specification fails to comply with the sequence rules, specifically 37 CFR Sections 1.821-1.825 because the sequences referred on pages 15-21 in the Brief Description of the Figures were not referred to by their sequence identifiers. Also, the Examiner stated that the disclosure was objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicants have amended pages 15-21 of the specification to include the sequence identifiers as suggested by the Examiner. With respect to the portion of the specification dealing with the browser-executable code, Applicants have deleted the references on pages 41 and 53.

With respect to Figure 6, Applicants have amended Fig. 6 to provide the name of the web pages for some of the web sites as kindly suggested by the Examiner. Applicants have learned

that the dot.imgen.bcm.tmc.edu server appears no longer to exist. Applicants have made these changes in red to Fig. 6 pending the approval of the Examiner. If these changes are acceptable, Applicants will have a new formal Fig. 6 prepared and shall submit it along with the remaining corrections to Figs. 2, 4, 6, 8 and 13.

Claim Objections

Claim 1 was objected to as failing to identify a nucleotide sequence by its sequence identifier. Claim 1 has been amended to include the appropriate sequence identifier.

Rejection of Claims 1 and 5-12 Under 35 U.S.C. Section 112, Second Paragraph

Claims 1 and 5-12 were rejected under 35 U.S.C. Section 112, Second Paragraph as being indefinite. Specifically, the Examiner rejected the recitation of "stringent conditions" in claim 1. Applicants have amended claim 1 as suggested by the Examiner.

Claim 5 was rejected because of an inconsistency in the use of the phrase "DNA sequence" and "nucleic acid sequence". Applicants have amended claim 5 to remove this inconsistency.

Claim 11 was rejected for improper "Markush" type language. Applicants have amended claim 11 to recite "proper" Markush type language.

In view of the aforementioned amendments, Applicants submit that this rejection should be withdrawn.

Rejection of Claims 1 and 5-12 Under 35 U.S.C. Section 112, First Paragraph

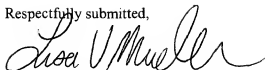
Claims 1 and 5-12 are rejected under 35 U.S.C. Section 112, first paragraph. Applicants submit that in view of the amendments to claim 1 that this rejection has now been rendered moot and should be withdrawn.

In view of the aforementioned amendments and arguments, Applicants submit that the claims are now in condition for allowance.

If any additional fees are incurred as a result of the filing of this paper, authorization is given to charge deposit account number 23-0785.

Respectfully submitted,

By:


Lisa V. Mueller (Reg. No. 38,978)
Attorney for Applicant

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER
500 MADISON STREET
SUITE 3800
CHICAGO, IL 60661
(312)-876-1800

CERTIFICATE OF MAILING

I hereby certify that this Amendment is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington D.C., 20231 on a March 21, 2003.

